

HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

BERNADEAN RITTMANN, FREDDIE  
CARROLL, JULIA WEHMEYER, and RAEF  
LAWSON individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., and AMAZON  
LOGISTICS, INC.,

Defendants.

No. 2:16-cv-01554-JCC

DECLARATION OF CATHY JOHNSON  
IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO PLAINTIFFS'  
MOTION FOR NOTICE TO BE ISSUED  
TO SIMILARLY SITUATED  
EMPLOYEES PURSUANT TO 29 U.S.C.  
§ 216(b)

ORAL ARGUMENT REQUESTED

NOTE ON MOTION CALENDAR:  
JANUARY 20, 2017

DECLARATION OF CATHY JOHNSON  
NO. 2:16-CV-01554-JCC

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1 an itinerary in the app to follow and can pull up a visual of the stops on a map in the app. I don't  
2 have to follow the route in the app— it's only a suggestion. I can choose any route that I prefer,  
3 which I used to do because the routing the computer created sometimes took longer, but the app  
4 routing has improved, and now I follow the app's route.  
5

6 8. The majority of the blocks I pick up are two-hour blocks, but I have delivered  
7 during 1-hour and 3-hour blocks too. I estimate I average 30-40 hours every week delivering for  
8 Amazon Flex through blocks I pick up.

9 9. I live in Newport News in an area that we call the "Peninsula." I have found that  
10 most people who live on what we call the "Southside" on the other side of the water don't always  
11 want to come to the Peninsula because it is more complicated driving back and forth due to  
12 traffic back-ups going through bridges and tunnels. The Peninsula routes are also further away  
13 from everything else. So, especially during the last block of the day, I will let Amazon  
14 employees on site and the DPs know that I can take a route on the Peninsula which is closer to  
15 my house but considered a less favorable route. Regardless of whether I receive a route on the  
16 Peninsula when requested, I will deliver the route provided to me as expected because that is  
17 what I contracted to do, and I think it is important to meet my end of the bargain.  
18

19 10. If I have questions, I usually call the centralized Amazon Flex support center. On  
20 occasion, I have asked Amazon employees questions while I'm at the distribution center, and  
21 they always tell me to call the support center and do what the support center suggests.  
22

23 11. I really enjoy being self-employed as a DP. As I am self-employed, I feel that  
24 Amazon Flex puts the "flex" in flexible for me. I also have a photography and video business. I  
25

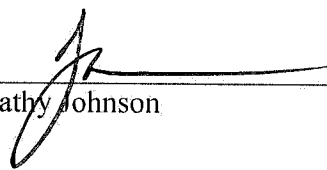
1 am able to do both because I can set my own schedule as a DP and work as little or as much as I  
2 want when I want.

3 12. I understand that this declaration is being provided in connection with a lawsuit  
4 brought against Amazon by current and/or former DPs who claim that Amazon should have  
5 classified them as employees and paid them minimum wage and overtime. I understand that the  
6 plaintiffs are seeking to represent current and former DPs, including me, in the lawsuit. I  
7 understand that I may be invited to join the lawsuit and that I could be eligible to participate.  
8 What I say in this declaration is the truth. I also understand that the lawyer(s) who interviewed  
9 me and prepared this declaration for me represent Amazon and do not represent me.

10 13. I am providing this statement voluntarily and without any duress, threats,  
11 intimidation or coercion. I understand that I did not have to give this declaration, can provide or  
12 refuse to provide a declaration or testimony, and know that giving information in this declaration  
13 is not a condition of my contract with Amazon. I attest to the information in this declaration  
14 voluntarily and of my own free will.

15 I declare under penalty of perjury of the laws of the United States that the foregoing is  
16 true and correct to the best of my knowledge, information, and belief.

17 Executed on <sup>January</sup> ~~December~~ <sup>2017</sup> ~~2016~~ in NEWPORT NEWS, Virginia.

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Cathy Johnson